

REMARKS

Claims 22-42 are all the claims pending in the application. No claims are amended, but the claims previously submitted in a Preliminary Amendment filed on July 14, 2006 are enclosed for the Examiner's convenience and for a current statement of the pending claims.

Double Patenting

Claims 1-15, 17-19, 20 are rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over claims 1+2, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 3, 6, 6, 1+2, respectively of U.S. Patent No. US 2007/0278478 A1 (Zaumseil et al). This rejection is traversed for at least the following reasons.

First, as to claims 1-15, 17-19 and 20, the rejection is moot since these claims were cancelled in a preliminary amendment filed on July 14, 2006, and are present in the electronic file wrapper as available in public PAIR and were published.

Second, as to the rejection, the Examiner states that, although the conflicting claims are not identical, they are not patentably distinct from each other because the concept of claims 1-15, 17-19, 20 are same of the claims 1+2, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 3, 6, 6, 1+2, in Zaumseil.

Applicants respectfully submit that claim 1 of Zaumseil differs from claim 22 of the present application, which is directed to an n-channel or ambipolar FET.

Claim 1 of Zaumseil refers to the FET being a light-emitting transistor that is capable of emitting light. Claim 1 of Zaumseil is directed to an invention that is more than an obvious development of the invention of claim 1 of N-Channel Transistors. Applicants submit that the Examiner has not provided any evidence indicating that it would have been obvious to have modified the subject matter of claim 22 of the present application so as to arrive at the subject matter of any of the claims of Zaumseil.

Claim Rejections - 35 USC § 102

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Zaumseil et al (US 2007/0278478 A1). This rejection is traversed for at least the following reasons.

First, as to claims 1-21, the rejection is moot since these claims were cancelled in a preliminary amendment filed on July 14, 2006.

Second, as to the availability of Zaumseil et al as a reference, Applicants respectfully note that Zaumseil shares a priority claim with the present US application.

Applicants submit that they would be able to overcome any rejection under Sections 102 and 103 because the present US application and Zaumseil share a priority claim to the same UK application.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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